

HOUSE No. 4334

House bill No. 4324, as changed by the committee on Bills in the Third Reading and as amended and passed to be engrossed by the House. July 26, 2012.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2012 and to make certain changes in law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for supplementing certain items in the general appropriation act and other
2 appropriation acts for fiscal year 2012, the sums set forth in section 2 are hereby appropriated from the
3 General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the
4 several purposes and subject to the conditions specified in this act or in those appropriation acts, and
5 subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012.
6 These sums shall be in addition to any amounts previously appropriated and made available for the
7 purposes of those items.

8 SECTION 2.

9

10		DISTRICT ATTORNEYS	
11		<i>Worcester District Attorney</i>	
12	0340-0400	.....	\$319,972
13		<i>Berkshire District Attorney</i>	
14	0340-1100	.....	\$96,895
15		TRANSPORTATION	
16		<i>Department of Transportation</i>	
17	1595-6368	.....	\$100,000
18		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
19		<i>Office of the Secretary of Administration and Finance</i>	
20	1599-0026	.....	\$50,000
21	1599-2013	.....	\$1,100,000
22		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
23		<i>Department of Conservation and Recreation</i>	
24	2800-0700..	.....	\$350,000
25		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
26		<i>Office of the Secretary of Health and Human Services</i>	
27	4000-0700	.....	\$11,042,350
28		OFFICE OF DISABILITIES AND COMMUNITY SERVICE	
29		<i>Massachusetts Commission for the Blind</i>	
30	4110-3010	.....	\$300,000
31		OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES	
32		<i>Department of Public Health</i>	
33	4590-0250	.....	\$200,000
34		<i>Department of Children and Families</i>	
35	4800-0041	.....	\$1,400,000
36		EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
37		<i>Department of Housing and Community Development</i>	
38	7004-0099	.....	\$20,000
39			
40		EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY	
41		<i>Military Division</i>	
42	8700-0001	.....	\$300,000
43		<i>Essex Sheriff's Office</i>	

44 8910-0619 \$375,000

45 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an
46 alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set
47 forth in this section are hereby appropriated from the General Fund unless specifically designated
48 otherwise in this section, for the several purposes and subject to the conditions specified in this section,
49 and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30,
50 2012. These sums shall be in addition to any amounts previously appropriated and made available for the
51 purposes of those items.

52 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

53 *Office of the Secretary of Administration and Finance*

54 1599-4420..For a reserve to meet the fiscal year 2012 costs of salary adjustments and other
55 economic benefits authorized by the collective bargaining agreement between the
56 Board of Higher Education and the Massachusetts Teachers Association/National
57 Education Association Associated Professional Administrators (Unit APA) \$451,853

58 1599-1366.. For services and costs associated with the repairs of Mill Pond Dam in Rockport
59 associated with damage sustained through federally declared storm 1642
60\$350,000

61 1599-1710.. For a reserve for the state share of costs to certain municipalities relating to the
62 October 2011 snowstorm; provided, that the comptroller shall transfer funds made
63 available in this item to municipalities for this purpose upon the written request of the
64 secretary of administration and finance
65\$8,422,689

66 1599-1711.. For a reserve for the state share of costs to certain municipalities relating to Tropical
67 Storm Irene in August 2011; provided, that the comptroller shall transfer funds made
68 available in this item to municipalities for this purpose upon the written request of the
69 secretary of administration and finance
70\$7,088,256

71 1599-4380..For a reserve to support information technology requirements and improve
72 information technology infrastructure at state agencies and departments;
73 provided, that the secretary of administration and finance, in consultation with
74 the chief information officer of the commonwealth, may transfer amounts from
75 this account to items 1100-1700, 2000-1700, 4000-1700, and 8000-
76 1700.....\$10,000,000

77 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

78 *Department of Public Safety*

79 8315-1023.. The department of public safety may expend an amount not to exceed \$250,000 for
80 the purposes of addressing compliance with sections 53 and 84 of chapter 146 of the
81 General Laws, especially compliance with hoisting, pipefitting, refrigeration, and
82 sprinkler fitter laws; provided, that funds shall be expensed solely for hiring
83 additional engineering inspector or engineers pursuant to this item; and provided
84 further, the department of public safety shall grant or deny permit applications and
85 authorize related inspections related to permit requests to perform pipefitting in
86 buildings owned, used, or leased by the commonwealth pursuant to section 21 of
87 chapter 142 of the General
88 Laws.....\$250,000

89 SECTION 2C.I. For the purpose of making available in fiscal year 2013 balances of appropriations
90 which otherwise would revert on June 30, 2012, the unexpended balances of the maintenance
91 appropriations listed below, not to exceed the amount specified below for each item, are hereby re-
92 appropriated for the purposes of and subject to the conditions stated for the corresponding item in section
93 2 of the general appropriation act for fiscal year 2012. However, for items which do not appear in section
94 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and
95 subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior
96 appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the
97 corresponding item in section 2 of the general appropriation act; provided, however, that for items which
98 do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated
99 from the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior
100 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts available
101 for said purposes.

102 JUDICIARY

103 *Committee for Public Counsel Services*

104 0321-1500 \$5,000,000

105 DISTRICT ATTORNEYS

106 *Worcester District Attorney*

107 0340-0400 \$319,972

108 *Berkshire District Attorney*

109 0340-1100 \$96,895

110 TRESURER AND RECIEVER GENERAL

111 *Office of the Treasurer and Receiver General*

112	0612-0105	\$200,000
113	STATE AUDITOR	
114	<i>Office of the State Auditor</i>	
115	0710-0000	\$568,639
116	INSPECTOR GENERAL	
117	<i>Office of the Inspector General</i>	
118	0910-0200	\$625,000
119	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
120	<i>Office of the Secretary of Administration and Finance</i>	
121	1100-1560	\$440,692
122	1106-0064	\$100,000
123	1599-0024	\$110,000
124	1599-0026	\$50,000
125	1599-1366	\$350,000
126	1599-1710	\$8,422,689
127	1599-1711	\$7,088,256
128	1599-2004	\$1,654,509
129	1599-4380	\$10,000,000
130	1599-4420	\$451,853
131	TRANSPORTATION	
132	<i>Department of Transportation</i>	
133	1595-6368	\$100,000
134	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
135	<i>Department of Conservation and Recreation</i>	
136	2800-0700	\$350,000
137	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
138	<i>Office of the Secretary of Health and Human Services</i>	
139	4000-0114	\$1,000,000
140	4000-0300	\$920,000
141	4000-0700	\$11,042,350
142	OFFICE OF DISABILITIES AND COMMUNITY SERVICE	
143	<i>Massachusetts Commission for the Blind</i>	
144	4110-3010	\$300,000
145	OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES	

146 *Department of Public Health*

147 4590-0250 \$200,000

148 *Department of Children and Families*

149 4800-0041 \$1,400,000

150 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

151 *Department of Housing and Community Development*

152 7004-0099 \$20,000

153

154 *Division of Professional Licensure*

155 7006-0151 \$376,604

156 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

157 *Department of Public Safety*

158 8315-1023 \$250,000

159 *Military Division*

160 8700-0001 \$400,000

161 *Middlesex Sheriff's Office*

162 8910-0107 \$1,500,000

163 *Essex Sheriff's Office*

164 8910-0619 \$375,000

165 *Parole Board*

166 8950-0001 \$150,000

167 SECTION 3. Chapter 20 of the General Laws is hereby amended by adding the following

168 section:—

169 Section 32. There shall be established and set upon the books of the commonwealth a separate

170 fund to be known as the Agricultural Inspection and Infrastructure Trust Fund, consisting of

171 revenues received pursuant to section 3B of chapter 7, chapters 128, 129, 132B, poultry testing

172 fees for services established by 330 CMR 5.00 et seq., interest or investment earnings on such

173 monies and all other monies credited or transferred thereto from any other fund or service.

174 Monies in the Agricultural Inspection and Infrastructure Trust Fund may be expended without

175 further appropriations on programs and costs related to the following: (1) sections 32 to 38 and

176 sections 64 to 65 inclusive of chapter 128; (2) the integrated pest management program

177 established by chapter 132B and by chapter 85 of the acts of 2000; (3) spay and neuter programs

and animal rescue and shelter programs established under section 2 of chapter 129; (4) poultry testing programs established by 330 CMR 5.00 seq; and (5) the Agricultural Innovation Center. Any unexpended balance in the fund at the end of the fiscal year, not to exceed \$200,000, shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

SECTION 4. Section 12A of chapter 29 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 12, the words “public welfare” and inserting in place thereof, the following words:- transitional assistance.

SECTION 5. Said section 12A of said chapter 29, as so appearing, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

In order to make timely state supplementary payments, the comptroller may present in the comptroller’s certificate to the governor’s council, and the state treasurer, with the consent of the council, may transfer to the United States Treasury or the entity administering the program of state supplementary payments, before July 1, funds necessary to make July payments to commonwealth benefit recipients.

SECTION 6. The third paragraph of section 36 of chapter 62C of the General Laws, as amended by section 67 of chapter 68 of the acts of 2011, is hereby further amended by inserting after the fifth sentence the following sentence:- Notwithstanding the preceding sentence and any contrary provision of section 27, where the commissioner and the taxpayer have agreed to extend the period for assessment of a tax pursuant to section 27, the amount of any refund or credit, whether determined by the commissioner to be an overpayment pursuant to section 27 or claimed by the taxpayer pursuant to a timely filed application for abatement, shall not exceed the amount of the tax paid after the execution of the agreement and before the expiration of the agreed extension period or periods plus the amount of the tax paid which would otherwise be eligible for refund under this section if an application for abatement had been filed on the date the agreement was first executed.

SECTION 7. The third paragraph of section 2 of chapter 111N of the General Laws is hereby amended by striking out clause (5), as amended by section 111 of said chapter 139 of the acts of 2012, and inserting in place thereof the following clause:-

(5) payment for reasonable expenses necessary for technical training on the use of a medical device.

SECTION 8. Item 1599-1705 of section 2A of chapter 52 of the acts of 2011 is hereby amended by inserting at the end thereof the following words:- ; and provided further, that funds made available in this item shall not revert but shall be made available for expenditure until June 30, 2013.

SECTION 9. Item 0699-0015 of section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the words “from this item to items 0699-9100, 0699-2004, and 0699-0016” and inserting in place thereof the following words:- from this item to items 0699-9100, 0699-2004, 0699-0016 and 0699-9101

SECTION 10. Said section 2 of said chapter 68 is hereby further amended by striking out item number “7003-0702” and inserting in place thereof the following item number:- 7003- 1206.

SECTION 11. Item 1750-0601 of section 2B of said chapter 68 is hereby amended by adding the following words:- ; provided, that any unexpended funds in this item shall not revert and shall be made available for expenditure until June 30, 2013.

SECTION 12. Item 1790-0200 of said section 2B of said chapter 68 is hereby amended by striking out the words “in an amount not to exceed 5 per cent of the amount authorized”.

SECTION 13. Subsection (a) of chapter 87 of the acts of 2011 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The department of public health, in consultation with the executive office of health and human services, shall adopt regulations for the statewide licensure of adult day health programs.

SECTION 14. Section 87 of chapter 142 of the acts of 2011 is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:- Funds made available for this fund shall be used only for offsetting the incremental General Fund costs from the increased amount of the state low income housing tax credit under sections 11, 12, 15 and 16 of this act. By June 30 of each fiscal year during which this fund is effective, the commissioner shall determine these projected incremental costs within the fiscal year and request that the comptroller transfer funding from the fund to the General Fund in an amount not to exceed the projected costs, but no such transfer shall be made without the written approval of the secretary of administration and finance.

SECTION 15. Section 58 of chapter 176 of the acts of 2011, as amended by section 44 of chapter 36 of the acts of 2012, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The commission shall consist of 13 members: 1 of whom shall be the secretary of administration and finance, or the secretary's designee; 1 of whom shall be the treasurer, or the treasurer's designee; 1 of whom shall be the executive director of the group insurance commission, or the director's designee; 3 of whom shall be private citizens, appointed by the governor, 2 of whom shall serve as co-chairs of the commission, provided that 1 shall not be a member of any of the 105 contributory retirement systems; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 of whom shall be members of the senate, 1 of whom shall be appointed by the minority leader; 1 of whom shall be selected by the governor from a list of 3 candidates submitted by the president of the Massachusetts AFL-CIO; 1 of whom shall be a member of the Massachusetts Municipal Association; and 1 of whom shall be a member of the Retired State, County and Municipal Employees Association of Massachusetts.

SECTION 16. Section 2A of chapter 36 of the acts of 2012 is hereby amended by striking out item number "4100-0062" and inserting in place thereof the following item number:- 4100-0082.

SECTION 17. Section 8 of chapter 106 of the acts of 2012 is hereby amended by adding the following sentence:- Revenues retained in this section shall be available for expenditure until June 30, 2013.

SECTION 18. Said chapter 106 is hereby further amended by striking out section 10 and inserting in place thereof the following section:-

Section 10. Section 8 shall take effect as of July 1, 2011, and shall expire on August 1, 2012.

SECTION 19. Item 1599-2013 in section 2C.I of chapter 118 of the acts of 2012 is hereby amended by striking out the figure "617,000" and inserting in place thereof the following figure:- \$1,747,000.

SECTION 20. Item 1595-1067 of section 2E of said chapter 118 is hereby amended by striking out the words "and provided further, that the secretary of health and human services shall make payments of up to \$44,853,333 from the Delivery System Transformation Initiatives Fund to the Cambridge Public Health Commission for fiscal year 2012 only after the Cambridge Public Health Commission transfers up to \$22,426,667 of its funds to the Delivery System Transformation Initiatives Trust Fund using a federally permissible source of funds which shall

fully satisfy the nonfederal share of such payment” and inserting in place thereof the following words:- provided further, that the secretary of health and human services shall make payments of up to \$44,853,333 from the Delivery System Transformation Initiatives Fund to the Cambridge Public Health Commission for fiscal year 2012 only after the Cambridge Public Health Commission transfers up to \$22,426,667 of its funds to the Delivery System Transformation Initiatives Trust Fund using a federally permissible source of funds which shall fully satisfy the nonfederal share of such payment; and provided further, that upon certification from the secretary of administration and finance the comptroller shall credit up to \$11,213,334 in transfers made by the Cambridge Public Health Commission received after June 30, 2012, toward fiscal year 2012 revenue receipts.

SECTION 21. Item 0321-1510 of section 2 of chapter 139 of the acts of 2012 is hereby amended by adding the following words:- ; and provided further, that no funds shall be expended from this item for services rendered in fiscal year 2012 until all funds are depleted from items 0321-1500 and 0321-1510 of section 2 of chapter 68 of the acts of 2011.

SECTION 27. Item 1595-6368 of section 2E of said chapter 139 is hereby amended by inserting after the words “amount transferred in fiscal year 2012;” the following words:- provided further, that \$100,000 be expended for the purpose of providing administrative assistance to the Massachusetts Port Authority Community Advisory Committee;.

SECTION 22. Item 2200-0100 of said section 2 of said chapter 139 is hereby amended by adding the following words:- ; provided further, no later than September 1, 2012 the department shall file a report with the clerks of the house of representatives and senate relative to water quality at all beaches under the care and control of the department of conservation and recreation; and provided further, said report shall include, but not be limited to, an assessment of water quality at all department of conservation and recreation beaches, actions to be taken by the department to improve water quality levels and recommendations for actions to be undertaken by federal, state, local authorities as may be required to improve water quality at said beaches.

SECTION 23. Item 4000-0300 of said section 2 of said chapter 139 is hereby amended by adding the following words:- ; and provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient services at pediatric specialty units as defined in section 1 of chapter 118G of the General Laws, the executive office shall make a supplemental payment, if necessary, sufficient to assure that inpatient SPAD and outlier

payments for discharges with a case mix acuity equal to or greater than 5 shall be at least equal to 85 per cent of the expenses incurred in providing services to those children

SECTION 24. Item 4100-0082 of section 2 of said chapter 139 is hereby amended by striking out, in both instances, the figure “\$2,000,000” and inserting in place thereof, in each instance, the following figure:- \$6,000,000.

SECTION 25. Item 4110-3010 of said section 2 of said chapter 139 is hereby amended by striking out the figure “45,000” and inserting in place thereof the following figure:- 345,000.

SECTION 26. Item 7066-0111 of said section 2 of said chapter 139 is hereby amended by striking out the words “to be selected by the special commission on higher education financing”.

SECTION 28. Item 1595-1068 of section 2E of said chapter 139 is hereby amended by striking out the figure “\$394,025,000” and inserting in place thereof the following figure:- \$566,306,556.

SECTION 29. Said item 1595-6368 of said section 2E of said chapter 139 is hereby amended by striking out the words “; provided further, that the amount of funds provided for administrative and consulting services, including those services associated with planning and facilitation of the transition to local transit authorities, shall not exceed that of fiscal year 2012”.

SECTION 30. Chapter 139 of the acts of 2012 is hereby amended by striking out section 154 and inserting in place thereof the following section:-

Section 154. (a) Notwithstanding any general or special law to the contrary, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2012 in the following order of precedence : (i) transfer \$15,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; (ii) transfer \$20,000,000 from the General Fund to the Health Care Workforce Transformation Trust Fund established in section 2FFFF of chapter 29 of the General Laws; (iii) distribute not more than \$2,703,119 to the New Bedford public school district to account for the district’s actual low-income enrollment, as defined by section 2 of chapter 70 of the General Laws, which amount shall be included in the district’s fiscal year 2013 chapter 70 aid and shall be considered base aid for the purpose of calculating fiscal year 2014 chapter 70 aid; provided, that said amount shall be certified by the department of elementary and secondary education prior to final transfer and (iv) make available \$40,000,000 to be used as revenue in fiscal year 2013; (v) transfer any remaining amount of the consolidated net surplus to the Stabilization Fund

(b) all transfers specified in this section shall be made from the undesignated fund balances in the budgetary funds proportionally from those undesignated fund balances, but no such transfer shall cause a deficit in any of those funds; provided, however, that prior to certifying the consolidated net surplus, the comptroller shall, to the extent possible, eliminate deficits in any fund contributing to the surplus by transferring positive fund balances from any other fund contributing to the surplus.

SECTION 31. Section 156 of said chapter 139 is hereby amended by striking out the words “with a net value over \$1,000,000” and inserting in place thereof the following words:- that would otherwise be deposited in the Commonwealth Stabilization Fund under the last paragraph of section 2H of chapter 29 of the General Laws.

SECTION 32. Section 218 of said chapter 139 is hereby amended by striking out the words “57 to 71” and inserting in place thereof the following words:- 69 to 83.

SECTION 33. Section 224 of said chapter 139 is hereby amended by striking out the words “Section 96” and inserting in place thereof the following words:- Sections 96 and 97.

SECTION 34. Notwithstanding any general or special law to the contrary, at the request of the committee for public counsel services and with the written approval of the secretary of administration and finance, the comptroller shall allow the transfer of funds from item 0321-1500 to item 0321-1510 of section 2 of chapter 68 of the acts of 2011 for the purpose of reducing any deficiency in said item 0321-1510. All such transfers, in aggregate, shall not exceed \$5,000,000 and shall be effective for fiscal year 2012. All funds from both of these items shall be depleted before any funds are expended from items 0321-1500 and 0321-1510 of section 2 of chapter 139 of the acts of 2012 for services rendered in fiscal year 2012.

SECTION 35. (a) Notwithstanding section 3 of chapter 53 of the General Laws or any other special or general law to the contrary, a person whose name is not printed on the September 6, 2012, state primary ballot as a candidate for an office, but who receives sufficient votes to nominate him therefore, shall file in the office of the state secretary a written acceptance of said nomination and a receipt from the state ethics commission verifying the fact that a statement of financial interest has been filed under chapter 268B of the General Laws no later than 5:00 pm on September 10, 2012.

(b) Notwithstanding section 11, 13 and 53A of chapter 53 and section 5 of chapter 55B of the General Laws or any other special or general law to the contrary, objections to and withdrawals

from nominations made at the September 6, 2012, state primary shall be filed with the state secretary no later than 5:00 P.M. on September 10, 2012.

(c) Notwithstanding section 14 of chapter 53 of the General Laws or any other special or general law to the contrary, any vacancies from the September 6, 2012, state primary caused by death, withdrawal or ineligibility in accordance with this section, shall be filed by an executive committee, determined by the state party committee, of the same political party who made the original nomination.

(d) Notwithstanding section 15 of chapter 53 of the General Laws or any other general or special law to the contrary, when a nomination is made to fill a vacancy caused by the death, withdrawal or ineligibility of a candidate from the September 6, 2012, state primary, the certificate of nomination shall be on a form prescribed by the state secretary, shall be signed by the executive committee appointed by the state committee of the same political party as provided for in this section, and shall be filed with the state secretary no later than 5:00 P.M. on September 12, 2012.

(e) Notwithstanding section 135 of chapter 54 of the General Laws, or any other general or special law to the contrary, a petition for a recount of the September 6, 2012, state primary shall be filed with the appropriate local election official no later than 5:00 P.M. on September 10, 2012, and all recounts must be completed and notice of the results sent to the state secretary no later than 5:00 P.M. on September 13, 2012. Petitions for district wide and statewide recounts of the September 6, 2012, state primary shall be submitted to the appropriate local election officials for certification no later than 12:00 P.M. on September 10, 2012, and local election officials must complete certification no later than 5:00 pm on September 11, 2012. If the state secretary determines that the contest is eligible for a statewide or district wide recount, he shall notify the local election officials who must complete such recounts and notify the state secretary of the results of the recount no later than 5:00 P.M. on September 14, 2012.

(f) Notwithstanding sections 8, 9 and 10, inclusive, of chapter 55B of the General Laws or any other general or special law to the contrary, the state ballot law commission shall notify candidates of any objections filed to nominations at the September 6, 2012, state primary no later than 5:00 P.M. on September 11, 2012, and a hearing on objections shall be held on September 13, 2012, and decisions rendered no later than 5:00 P.M. on September 14, 2012.

(g) Notwithstanding any general or special law to the contrary, the state secretary shall have the authority to add or change any dates relating to the nominations made at the September 6, 2012,

state primary he deems necessary for the orderly administration of the November 6, 2012, election by providing notice of such change to the state parties and any affected person, by filing notice with the rule and regulations division, by posting on his website and by whatever other means he deems appropriate.

SECTION 36. Section 6 shall apply to requests for refund or applications for abatement filed with the commissioner of revenue on or after July 1, 2011; but it shall not apply with respect to tax periods where the statute of limitations for refund or abatement, as applicable, had expired before July 1, 2011.

SECTION 37. Chapter 199 of the Acts of 2010 is hereby amended by striking, in Section 3, the following sentence: "Within 2 years of the effective date of this act, the department shall file a report of its activities and the developed recommendations with the governor and the clerks of the senate and house of representatives who shall forward the same to the house and senate committees on ways and means and other committees as appropriate.", and inserting in place thereof the following sentence:

"The department shall file a final report not later than July 31, 2014 of its activities and the developed recommendations with the governor and the clerks of the house and senate who shall forward the same to the house and senate committees on ways and means and other committees as appropriate, provided, however, that the department shall file in the same manner an interim report not later than July 31, 2013 indicating the progress made toward completing the final report, the adequacy of data and information collected at that point and whether or not additional data must be collected to complete the report, particularly with regard to weather conditions and other factors, the time necessary to complete the final report, and any other factors which may negatively impact the completion of the final report in a timely and effective manner."

SECTION 38. Section 161 of chapter 139 of the Acts of 2012 is hereby repealed.

SECTION 39. Item 2840-7014 of section 2A of chapter 312 of the acts of 2008 is hereby amended by striking out the words "provided further, that not less than \$5,659,000 shall be expended for construction of a permanent ice skating rink in Jamaica Plain;" and inserting in place thereof the following words:- provided further, that not less than \$5,659,000 shall be expended for construction of a permanent ice skating rink and recreation center in the Jackson Square section of Roxbury and Jamaica Plain in the city of Boston; provided further that these funds shall be provided to the developer designated by the city of Boston through the selection

423 process initiated in July 2004 and following approval of the project through the city of Boston's
424 Article 80 process, which approval was granted on June 16, 2011 and documented in the
425 approved memorandum to the Boston Redevelopment Authority of the same date, and the same
426 amount shall be expended for the same purpose in the Town of Norwood;

427